

**MINUTES OF BOARD MEETING: September 9, 2021
HENRY COUNTY WATER AUTHORITY**

I. CALL TO ORDER/ATTENDANCE

A regular meeting of the Henry County Water Authority Board was held on Thursday, September 9, 2021, at the Authority's Administrative Campus, Engineering Conference Room, located at 100 Westridge Industrial Blvd., McDonough, GA. Chair Cletonya Stidom called the meeting to order at 8:00 a.m.

The following Board members were present: Cletonya Stidom, Sandra Rozier, Jimmy Carter, Siddiqa Gibson, Warren Holder and Fred Mays

The following Authority staff and consultants were present:

Lindy D. Farmer, Jr., General Manager	Andy Welch, Smith, Welch Webb & White
Kim Osborne, Clerk	Chris Wood, JWA Public Relations
Tony Carnell, Deputy Manager	Roderick Burch, CFO
Scott Sage, Division Mgr., Eng.	Scott Harrison, Div. Mgr. Operations
Randy Crumbley, Manager, Engineering	Allen Rape, Div. Mgr., Customer Support Svcs.
Karen Lake-Thompson, Sr. Admin. Asst.	Dan Newcombe, IT Manager

II. VISITORS There were no visitors present.

III. ACCEPTANCE OF AGENDA

Chair Stidom presented the Amended Agenda for approval by the Board. Motion was made by Mrs. Rozier and seconded by Mrs. Gibson to accept the Amended Agenda as presented. The motion carried (6-0).

IV. REPORT OF ATTORNEY

Upper Birch Creek SS Extension

Mr. Welch addressed the Board concerning an opportunity for the Authority to enter into an agreement with Davis Development to fund the construction of the Upper Birch Creek Sanitary Sewer Extension which has been designated by the Authority as a CIP project in the next 5-year window. Mr. Welch advised that without this extension a lift-station would be required to serve the Birch Creek corridor which is not a favorable option for the long term. He advised that the developer is willing to partner with the Authority to contribute \$500,000 of the cost to construct the gravity sewer line alleviating the need for the construction a lift-station which would be the Authority's preference. Mr. Farmer noted that when possible the Authority does enter into public/private agreements for these types of projects which offsets the costs that would be passed along to the rate payers. Mr. Welch advised that the developer has deposited the funds with the Authority for this project and that the funds are being held pending project approval. Mr. Sage provided a visual map depicting the routing of the 10,000 ft. gravity sewer extension, and the

location of the Davis Development project. He advised that by entering into an agreement with Davis Development the Upper Birch Creek Sewer project can be moved up on the CIP list. He noted that the cost of the sewer extension has been estimated to be \$3 million dollars and once completed will open up the basin for development and will take the Simpson Mill lift station off-line (by pumping flow to the Authority's Indian Creek facility) which is good for the Authority. Mr. Farmer noted that the property to be served by this sewer extension is located in the City of McDonough however, it is located within the Authority's service area.

Chair Stidom opened the floor for discussion. It was noted that the Board's agenda was amended on September 8th to include this discussion item and that information was sent to the Board on that date. Mrs. Rozier advised that she had not had an opportunity to review the information and for this reason requested that it be tabled for discussion at the next meeting. Chair Stidom called for a motion to table the matter which was made by Mrs. Rozier and seconded by Mrs. Gibson. Chair Stidom called for a vote on the motion, indicating she was in favor of the motion. Members Holder, Carter and Mays abstained. The vote was 3 in favor and 3 abstained. The motion did not pass, however, the matter was tabled.

Prayer During Board Meetings

Mr. Welch reported to the Board concerning the findings of his research as to the legalities of the Board conducting prayer prior to the start of its monthly meetings. He advised that the Supreme Court ruled in a 2014 case, that prayer can be held prior to meetings. Mr. Welch stated that based upon this ruling it is constitutional to conduct prayer prior to the Board's monthly meetings. Mr. Mays inquired how the Board would go about implementing this as a part of its monthly agenda. He stated that he has been in public service for 40 years and prayer has always been held prior to meetings. He is in favor of prayer and would like to see us have prayer before our meetings. He advised that he is an ordained minister and would be glad to offer prayer at each Board meeting, or he suggested that a member of the clergy from each district could be invited to conduct prayer. Mr. Mays thanked Mrs. Rozier for requesting that information concerning the Piedmont Henry prayer vigil be sent out to members of the Board. He stated that he did attend the vigil and appreciated the opportunity to support medical staff at the hospital. Mr. Holder stated that he is also a believer in prayer and noted that in years past, the Board of Commissioners opened every meeting with prayer and the Pledge of Allegiance to the United States Flag prior to the meetings being called to order. Mr. Carter also expressed his support of Mr. Mays' proposal. Chair Stidom inquired about what other boards in the County do. Mr. Welch advised that all governing authorities in the county (BOC and cities) have prayer. He noted that the Authority is also a constitutionally created entity like the BOC and cities; and as such could also have prayer prior to its meetings. He stated he is unsure what other boards do in the county, but he will research the matter further. Chair Stidom advised that the matter will be placed on the agenda for discussion at the next Board meeting.

V. REPORT OF GENERAL MANAGER

SPLOST Reimbursement for HCWA Utility Relocations:

Mr. Farmer addressed the Board to provide an update concerning a recent meeting with the BOC. He advised that during that meeting a discussion was held concerning reimbursement to the Authority of expenses related to utility relocations for SPLOST projects. He stated that there has been an ongoing “understood” agreement for years that the county reimburse the Authority for labor costs and that the Authority provides/covers the cost of materials for utility relocations on SPLOST projects. However, he recently learned that County staff will be making a recommendation to the BOC that the Authority receive no relocation reimbursements. Mr. Farmer noted that it is important for the Board to be informed about this matter so that they can have discussions with their respective Commissioners. Mrs. Rozier inquired why this agreement with the county has not been put into writing. Mr. Farmer advised that the Authority has tried for years to get an intergovernmental agreement but has not been successful in doing so. He stated that he has scheduled a follow-up meeting on September 22nd with Chair Harrell and county staff to continue the discussion. He invited members of the Board to attend, but cautioned that a quorum in attendance will require the posting of a legal notification for a public meeting. Chair Stidom requested that the Board be kept apprised of the outcome of the meeting. In reference to Mrs. Rozier’s question about no agreement, Mr. Holder provided some history about the SPLOST program and the beginning of relocation reimbursement and why there was no agreement. He agreed that the Authority does need to have an agreement concerning this matter. He also noted that the County may point out the fact that the Authority receives a 2 mil tax, but he stated that the county’s fire rating also benefits from the Authority’s system. Mr. Farmer stated there must be some compromise. Mrs. Rozier emphasized that an agreement needs to be reduced to writing. Chair Stidom noted that the situation is not unlike the Authority’s efforts to enter into an agreement for stormwater management. Mr. Carnell provided a powerpoint presentation concerning SPLOST transportation projects and discussed the reimbursement process including a summary of the amount of reimbursement the Authority has received from the county. He provided some examples of projects that required the Authority utility relocations. The Fairview Road road-widening project will require the relocation of an HCWA booster pump station; and the West Village Parkway project also required relocation of utilities. It was his opinion that reimbursement numbers are very low. Mr. Carnell advised that sometimes GDOT will provide reimbursement and sometimes they will not. He noted that the Authority has some heavy projects coming up that are very costly. He reviewed utility relocation project estimates for SPLOST V noting these are the best estimates available at this time totaling \$11.8 million dollars which include the cost of relocations. He stated the Authority will have to carry the expense of these relocations if the County takes these reimbursement funds away from the Authority. If the County will continue utility reimbursements for SPLOST funded projects, we will no longer seek reimbursement for stormwater or HCDOT funded projects.

Mr. Farmer noted that the County invoices the Authority for stormwater fees on its facilities and that we have been communicating back and forth with the County to get a fee waiver. He stated the Authority does several things that gives the County credit for stormwater activities that are required under their permit. He stated that the County did agree to exempt fees going forward

but we need an exemption going back totaling about \$150,000.00. This is another matter on which the Authority needs some resolution. Mr. Farmer is hopeful we can work this out too as part of an intergovernmental agreement. Chair Stidom also noted that the Authority pays \$100,000 to the County for collecting the 2 mil tax on its behalf, but is not obligated to do so. Andy Welch noted that SPLOST collections offset property taxes for residents, and this is no different for the Authority. It should offset our need to raise rates. It makes sense for the County and the Authority not to have to raise its base rates. SPLOST should pay for it. Andy noted that 4 years ago he prepared a draft amendment to the stormwater ordinance to exempt Authority facilities from stormwater fees. The Authority and its staff has worked over the last decade to try to get these exemptions through meetings, retreats, etc. Mrs. Rozier stated that it is important to get these issues resolved. Chair Stidom encouraged members of the Board to speak to their respective Commissioners. She noted that Mr. Mays was appointed by the BOC Chair and that she was on the SPLOST committee and she knows what our expenses are. She stated that we are still in COVID and we do not need to put this expense on our constituents. Mr. Carnell advised that the Authority provided Roque Romero with cost estimates for utility relocations when he was working on estimates for projects to be included on the next SPLOST list. Chair Stidom noted that the T-SPLOST will be on the November ballot and stated that some of the SPLOST projects are also on the T-SPLOST list. Mr. Welch stated that T-SPLOST will provide additional funds for projects if there is a shortfall from SPLOST. Mrs. Rozier stated that she is enlightened by this presentation and would like to have had this information sooner. Mr. Carnell replied that the Authority only became aware of the potential for the withdrawal of reimbursements when it was mentioned during a BOC meeting held on August 17th. Therefore, the matter was brought to the Board for discussion during today's meeting. Mrs. Rozier also noted that the BOC had tabled at stormwater discussion at its last meeting. She inquired how this affects the Authority. Why was the matter removed from the BOC agenda? Mr. Welch advised that he would look into the matter for further explanation. Mr. Carter requested that Mr. Farmer and Mr. Carnell prepare some talking points so all Board members can have the same information to share with their respective commissioners. Mr. Farmer emphasized that the Authority cannot afford to lose SPLOST reimbursements. It was noted that the Authority has requested some of the ARPA funds received by the County. The County requested that some of the projects submitted for funding be removed from the list, including the Walnut Creek expansion project. Mr. Carnell stated that Mr. David Smith, BOC CFO, has requested our list of projects. Mr. Burch acknowledged that the request had been received and response due by September 10th and that the list will be the same one that was sent to Chair Harrell. Mr. Burch advised that Mr. Smith has acknowledged receipt of the list. Chair Stidom advised that if we cannot get an agreement following the meeting on September 22nd, the Authority should request ARPA funds for all projects.

Public Relations Report: Dr. Chris Wood addressed the Board concerning public relations and news coverage. He highlighted the following topics/issues that received coverage:

- Mr. Farmer's receipt of the William J. Green, Jr. award
- Commissioner Vivian Thomas and Vice Chair Sandra Rozier's "Junior Commissioners" program at the Tussahaw Water Treatment Facility
- Cubihatcha Kids Field Trips – cancelled this year due to the pandemic
- Swearing-in of new Board Member, Fred Mays
- Adoption of Procurement/Diversity Policies

- Release of 2021 Water Quality Report
- Tussahaw Water Treatment Facility – Named Plant of the Year

Mrs. Rozier also noted that the Authority’s staff attended the Commissioner Thomas’ “4 a Better Me” expo in July to provide information on careers at the Authority and to inform constituents about the Authority’s Charitable Assistance Program. She stated that it is important to note the Authority’s participation in community outreach opportunities.

Dr. Wood announced the following upcoming events: Imagine a Day Without Water Poster Contest; youth deer hunts; River’s Alive clean-up project; and the Georgia Model Water Tower Competition.

VI. PROJECTS AND ADJUSTMENTS

The following projects were presented for the Board’s approval:

New Projects: EXT3760 Hampton Woods Sanitary Sewer Extension

Mr. Sage advised that this is an Authority project for the construction of a line extension to serve Hampton Woods and to take a lift station offline. Chair Stidom called for further discussion. There were no questions and a motion was made by Mr. Carter and seconded by Mrs. Rozier to approve the project. The motion carried 5/0. (Mr. Holder was not present for the call to vote.)

Developer Projects:

DEV3692	Autumn Lake C Store
DEV3696	World Peace Center
DEV3734	Jodeco at Harold Drive

Mr. Sage provided information concerning the description and location of each project. There was no further discussion by the Board. Motion was made by Mrs. Rozier and seconded by Mr. Mays to approve the projects as presented. The motion carried 5/0. (Mr. Holder was not present for the call to vote.)

Budget Adjustments: EXT3237C Lower Towaliga Raw Water Pump Station Upgrade

Mr. Banks addressed the Board to provide information concerning the requested adjustment. He noted that during the construction of this project, it was determined that two of the existing pumps needed to be re-conditioned. Although most of the cost to do so was covered by contingency money, the additional cost put the project over budget by \$4,890.65. This amount is needed in order to make the final payments to the contractor and engineer. In addition, there is some consideration to install an additional AC unit in the VFD room due to the heat generated by this equipment. Therefore, Mr. Banks advised that an additional \$60,000 is being requested to fund this addition. He reported that the new budget total for the project is \$900,391.00.

Mrs. Gibson inquired what can be done in the future to avoid a similar issue. Mr. Banks advised that in this situation, the decision to utilize VFD equipment was made after the design engineer had completed the plans for this project. However, once the decision was made to use VFD, the new change was not incorporated in the design and was therefore inadvertently overlooked. Chair Stidom called for any further discussion. There being none, motion was made by Mrs. Gibson and seconded by Mr. Mays to approve the budget adjustment as requested. The motion carried 6/0.

VII. APPROVAL OF MINUTES

The minutes of the August 12, 2021 regular meeting of the Board were presented. Mrs. Rozier noted two corrections on Page 3 as follows: change “Game On Junior Achievers” to “Game On Junior Commissioners” and “Better 4 Me Expo” to “4 a Better Me Expo.” With these corrections, a motion was made by Mr. Carter and seconded by Mrs. Gibson to approve the minutes of the August 12th Board meeting. The motion carried (6-0).

VIII. NEW BUSINESS

GM Evaluation Process

Claudia Cooper distributed the General Manager Evaluation packets to the Board. She reviewed the materials, gave instructions for completion, and discussed the evaluation process with due dates. The Board decided their representatives for the GM Evaluation would be Cletonya Stidom (Chair) and Jimmy Carter. Soft copies of the GM Evaluation instrument will be emailed to Board members later in the day, and as requested, the 2020 Goals/Focus Areas and a list of the boards, professional organizations, and community involvement for the GM will be included.

IX. OTHER BUSINESS

Chair Stidom announced that the next meeting of the Board is scheduled for October 14, 2021, at 8:00 a.m. and will be held in the Engineering Conference Room. She noted that board meetings will continue to be held in this location as long as the COVID pandemic continues in order to observe appropriate social distancing practices.

X. ADJOURNMENT

Motion was made by Mr. Carter and seconded by Mr. Holder to adjourn the meeting at 9:40am. The motion carried (6-0) and the meeting was adjourned.

Cletonya Stidom, Chair

Kim Osborne, Clerk